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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/274,935	03/23/1999	KATHLEEN L. COVERT	EN997064	9143

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EXAMINER

MARKOFF, ALEXANDER

ART UNIT

PAPER NUMBER

1746

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/274,935	Applicant(s) COVERT ET AL.	
	Examiner Alexander Markoff	Art Unit 1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Response to Arguments

1. In view of the Appeal Brief filed on 5/7/03, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 18 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 is indefinite because it is not clear what is referenced as "said first and second dielectric substrates". This term lacks proper antecedent basis.

Claim 19 is indefinite because it is not clear whether or not "a dielectric substrate" and "the first dielectric substrate" are the same. The term "the first dielectric substrate" lacks proper antecedent basis.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 5, 6, 8, 9 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 5-148,658.

JP 5-148,658 teaches a method for cleaning copper comprising application to copper surfaces of microelectronic packages a cleaning solution as claimed.

The cleaning solution comprises an inorganic acid(s) as claimed – sulfuric, phosphoric, etc.

The cleaning solution comprises persulfate salt as claimed – ammonium persulfate.

The solution comprises a phosphate salt, which, at the same time, a surfactant.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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7. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 5-148,658 in view of Kuhanskis et al (US Patent No 6,281,090) and Vugts (US Patent NO 4,774,491).

JP 5-148,658 teaches a method for cleaning copper comprising application to copper surfaces of microelectronic packages a cleaning solution as claimed.

The cleaning solution comprises an inorganic acid(s) as claimed – sulfuric, phosphoric, etc.

The cleaning solution comprises persulfate salt as claimed – ammonium persulfate.

The solution comprises a phosphate salt, which, at the same time, a surfactant.

JP 5-148,658 does not specify the specific substrates and conventional steps of the process of manufacturing of integrated circuits recited by the claims.

However, the reference does not limit the disclosure to any specific substrate or step of the IC manufacturing.

Moreover, the claimed steps of the manufacturing of the printed boards and the specifically claimed structures, such as phosphorus-nickel plated resistors were conventional in the art as evidenced by Kuhanskis et al (Background of the Invention) and Vugts (column 1, line 30-35).

It would have been obvious to an ordinary artisan at the time the invention was made to apply the method of JP 5-148,659 to any IC board substrate having copper surfaces (including substrates with resistors recited by Vugts at any conventional step of IC manufacturing disclosed by Kuhanskis et al and JP 5-148,658 where cleaning of

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copper surfaces is required prior to plating with reasonable expectation of adequate results.

8. Claims 3, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 5-148,658 on view of Tsubai et al (US Patent NO 4,238,279).

JP 5-148,658 teaches a method for cleaning copper comprising application to copper surfaces of microelectronic packages a cleaning solution as claimed.

The cleaning solution comprises an inorganic acid(s) as claimed – sulfuric, phosphoric, etc.

The cleaning solution comprises persulfate salt as claimed – ammonium persulfate.

The solution comprises a phosphate salt, which, at the same time, a surfactant.

The reference does not recite the specifically claimed phosphate salts.

Tsubai et al teach that what is semiconductor industry meant under a general disclosure of phosphoric acid also includes the claimed phosphate salts and their mixtures with different phosphoric acids. See entire document, especially column 2, line 60 – column 3, line 6.

It would have been obvious to an ordinary artisan at the time the invention was made to use any conventional mixture of phosphoric and phosphate in the method of JP 5-148,658 with reasonable expectation of adequate results.

As to claim 7, it would have been obvious to an ordinary artisan at the time the invention was made to find an optimum concentrations for the components of the solution in the modified method of JP 5-148,658 by routine experimentation inside of the disclosed by the prior art ranges.

9. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 5-148,658 in view of Arabinick (US Patent NO 5,855,805).

JP 5-148,658 teaches a method for cleaning copper comprising application to copper surfaces of microelectronic packages a cleaning solution as claimed.

The cleaning solution comprises an inorganic acid(s) as claimed – sulfuric, phosphoric, etc.

The cleaning solution comprises persulfate salt as claimed – ammonium persulfate.

The solution comprises a phosphate salt, which, at the same time, a surfactant.

The reference does not recite the specific surfactant claimed.

However, the claimed surfactant are all well-known and commercially available surfactants.

It would have been obvious to an ordinary artisan at the time the invention was made to use these surfactants in the method of JP 5-148,658 with reasonable expectation of adequate results in order to improve wettability of the solution.

On the other hand, Arabinick teaches that it was known to use the claimed surfactants in the methods for cleaning copper surfaces in manufacturing of IC (entire reference, especially column 6).

It would have been obvious to an ordinary artisan at the time the invention was made to use the surfactants disclosed by Arabinick in the method of JP 5-148,658 for their primary purpose with reasonable expectation of adequate results because Arabinick teaches that the use of these surfactants improves the process.

Response to Arguments

10. Applicant's arguments with respect to claims 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Kuhanskis et al and Vugts are cited and applied this time to support the Examiners position.

11. Applicant's arguments filed in the Brief have been fully considered but they are not persuasive regarding claims 1-16.

The applicants state in the Brief that the process of microetching was not known prior to the instant invention. The applicants based their statement on the Attorney's statement.

This is not persuasive:

First, the specification references the microetching as a known process. See at least page 2 of the specification.

Second, microetching of copper surfaces with solutions comprising at least some of the claimed constituents of the composition used in the method of the invention was conventional many years prior to the time the instant invention was made and prior the time at which the JP document was printed.

See Minten et al (entire document, especially columns 5, 6 and 13) as an evidence. This document also shows that the compositions for microetching of copper were available from commercial suppliers.

Third, the claims do not even use the term microetching. The claimed process is a process for cleaning copper.

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The Applicants state in the Brief that the examiner conclude that Arabinick does not teach the claimed surfactants. This is not a correct interpretation of the examiner's position. In contrast to the Applicant's statement, the examiner clearly stated in the final Office action and in the instant Office action the Arabinick teaches the claimed surfactants. See paragraph 6 of the Final Office action and paragraph 9 of the instant Office action. The referenced surfactants are disclosed at least in column 6 of Arabinick.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Markoff whose telephone number is 703-308-7545. The examiner can normally be reached on Monday - Friday 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy P. Gulakowski can be reached on 703-308-4333.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



Alexander Markoff
Primary Examiner
Art Unit 1746

am
July 28, 2003

ALEXANDER MARKOFF
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